

Williams of Travis. Woodall.
Woodruff.

Present—Not Voting.

Smith of Atascosa.

Absent.

Acker. Kirkland.
Dale. Loftin.
Dunlap. Moore.
Duvall. Smith of El Paso.
Forbes. Smith of Nueces.
Gates. Sutton.
Kayton. Williamson.
Kemble.

Absent—Excused.

Albritton. Powell.
Bonham. Tillotson.
Branch. Williams
Kirby. of Sabine.
Montgomery.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read first time and referred to the appropriate committees as follows:

Senate bill No. 149, to the Committee on Appropriations.

Senate bill No. 78, to the Judiciary Committee.

Senate bill No. 156, to the Committee on Agriculture.

Senate bill No. 160, to the Committee on State Affairs.

Senate bill No. 171, to the Committee on Education.

Senate bill No. 223, to the Committee on Judicial Districts.

Senate bill No. 224, to the Committee on School Districts.

Senate bill No. 141, to the Committee on Education.

ADJOURNMENT.

On motion of Mr. Barron, the House, at 4:50 o'clock p. m., adjourned until 11 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Insurance: House bill No. 370.
Banks and Banking: House bill No. 396.

Criminal Jurisprudence: House bills Nos. 405, 431, 81, 64.

The following standing committee has today filed adverse report on bill as follows:

Municipal and Private Corporations: House bill No. 380.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 337, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of directors thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status; and providing this act shall become effective on the 1st day of May, 1927,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

TWENTIETH DAY.

(Wednesday, February 9, 1927.)

The House met at 11 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker. Barnett.
Alexander. Barron.
Anderson. Bass.
Avis. Bateman.

Beck.	Moursund.
Bird.	Murphy.
Black.	Nabors.
Boggs.	Nicholson.
Boon.	Olsen.
Branch.	Parish of Runnels.
Brown.	Parrish of Travis.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Petsch.
Cummings.	Poage.
Daniel.	Pool.
Davis.	Pope.
DeBerry.	Porter.
Denman.	Purl.
Dielmann.	Ramsey.
Dunlap.	Rawlins.
Durham.	Reagan.
Duvall.	Renfro
Enderby.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Foster.	Satterwhite.
Fuchs.	Shaver.
Gates.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of Atascosa.
Hall.	Smith of El Paso.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Smyth.
High.	Snelgrove.
Holder.	Stell.
Holland.	Stevenson.
Hornaday.	Storey.
Jacks.	Stout.
Johnson.	Sutton.
Jones.	Swain.
Justice.	Taylor.
Kayton.	Teer.
Kemble.	Turner.
Kennedy.	Van Zandt.
Kenyon.	Veatch.
Kincaid.	Waddell.
King of Hopkins.	Walker.
King of	Wallace
Throckmorton.	of Freestone.
Kinnear.	Wallace of Panola.
Kirkland.	Wallace of Smith.
Land.	Ware.
Lipscomb.	Wassell.
Loftin.	Webb.
Long.	Wells.
Masterson.	Whitaker.
McCombs.	Williams
McGill.	of Travis.
McKean.	Williamson.
Merritt.	Woodall.
Minor.	Woodruff.
Morse.	Young.

Absent—Excused.

Albritton.	Powell.
Bonham.	Tillotson.
Kirby.	Williams
Loy.	of Sabine.
Montgomery.	

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Gates for last Monday and Tuesday, on motion of Mr. Rogers of Hays.

Mr. Montgomery for today, on motion of Mr. Wells.

Mr. Williams of Sabine for today, on motion of Mr. Ramsey.

The following members were granted leaves of absence on account of illness:

Mr. Tillotson for today, on motion of Mr. Lipscomb.

Mr. Albritton for today, on motion of Mr. Hagaman.

Mr. Loy for today, on motion of Mr. Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Rowell, Mr. Woodall, Mr. Gibson, Mr. Merritt and Mr. Boon:

H. B. No. 454, A bill to be entitled "An Act creating, designating and dedicating Caddo Lake State Park, dedicating the title to the beds of the lake or stream that are owned by the State, and the submerged lands in and around the same, as well as the lands adjacent to the lake that are owned by the State of Texas, to public park purposes; dedicating the water or waters of Caddo Lake and its tributaries, and the lakes, ponds and sloughs adjacent thereto, to public park purposes and as game and fish preserves; reserving and withdrawing such lands from sale; providing for the acquisition of additional lands adjacent to the lake to be included as a part of said park, and providing for the control, management and supervision of such public park and for the regulation thereof, and the protection of game and fish and the natural beauties of the water and grounds; providing for a

board of commission to have charge and control thereof, with power and authority to make rules and regulations for the use of said park by the public generally, and providing for the appropriation of funds for the purpose of preserving and beautifying said park, and for protecting and preserving the same, as well as the game and fish within said park; providing for the regulation of the speed of boats propelled by motors, designating a game preserve, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Holland:

H. B. No. 455, A bill to be entitled "An Act to amend subdivision 11, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas of 1925, providing for the election of special judges in case of absence, sickness or inability of any of the regular judges to act and preside in the civil district courts of Harris county, Texas, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Acker, Mr. Holland and Mr. Morse:

H. B. No. 456, A bill to be entitled "An Act to amend Article 3726 of the Revised Civil Statutes of 1925, so as to provide for the introduction in evidence of the originals of certified copies of recorded instruments which have been proved or acknowledged in accordance with law without proving their execution; providing a rule for construction of said article, declaring that this act shall be divisible if any part of same be held unconstitutional, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Acker, Mr. Holland and Mr. Morse:

H. B. No. 457, A bill to be entitled "An Act to amend Article 5519 of the Revised Civil Statutes of Texas of 1925, so as to provide that a person having peaceable and adverse possession of lands, tenements or hereditaments, the title to which has passed out of the State, using and enjoying the same under deeds duly recorded constituting a regular chain of title, shall have a good marketable title thereto and shall have title by the statutes of limitation regardless of minority, coverture, insanity or other disability of the persons asserting title against such possession."

Referred to Judiciary Committee.

By Mr. Acker, Mr. Holland and Mr. Morse:

H. B. No. 458, A bill to be entitled "An Act to amend the Revised Civil Statutes of 1925 by adding to Article 7373 an Article 7373a, so as to provide that where a plea of not guilty is followed by a special plea this shall in no case confine the proof to the matters specially pleaded; and also that if a formal plea of trespass to try title is followed by matters specially pleaded the proof shall not in any case be limited to the matters pleaded specially."

Referred to Judiciary Committee.

By Mr. Acker, Mr. Holland and Mr. Morse:

H. B. No. 459, A bill to be entitled "An Act adding Article 5523a to the Revised Civil Statutes of Texas of 1925, and providing that where a married woman's acknowledgment to her deed or other instrument affecting lands appears to be defectively taken or certified, and where such instrument has been of record for ten years, and title has been claimed and asserted under such instrument for such period of ten years, and where the validity of such instrument has not been brought in question by the interested parties by any action in court during said period that the acknowledgment shall be conclusively presumed to have been taken in accordance with law; that the transaction shall be in all respects validated; and that any action to recover the land or set aside or have said instrument declared to be inoperative shall be barred by the statute of limitation, to which statute coverture and other disabilities shall be no answer."

Referred to Judiciary Committee.

By Mr. Fuchs:

H. B. No. 460, A bill to be entitled "An Act providing that every person registering a motor vehicle, tractor, trailer, semi-trailer, or motorcycle, used on the public highways of this State, shall accompany his application for registration with a statement upon oath or affirmation, signed by the applicant, that such motor vehicle, tractor, trailer, semi-trailer, or motorcycle, was rendered for taxation for the preceding year, or that said vehicle was not liable for taxation during said preceding year, or that said vehicle was not owned in whole or in part by the applicant during said preceding year, and providing for the payment of the tax upon said vehicle for the preceding year in lieu of such statement; providing for the adminis-

tration of said oath or affirmation by the tax collector, and providing a penalty for any misrepresentation made in said statement, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. McCombs:

H. B. No. 461, A bill to be entitled "An Act amending Article 3716 of the Revised Civil Statutes of the State of Texas of 1925, by adding thereto the following language: 'provided that any such party participating in or present at any such transaction or in whose presence any statement by or to the deceased or ward was made shall not be disqualified as a witness by this article, if any adverse party was present or participated and is living and competent to testify at the time of the trial or whose testimony has been lawfully preserved.'"

Referred to Judiciary Committee.

By Mr. Williams of Travis:

H. B. No. 462, A bill to be entitled "An Act to amend Article 430 of the Revised Penal Code of the State of Texas, 1925, defining barratry."

Referred to Committee on State Affairs.

By Mr. King of Throckmorton, Mr. Brown, Mr. Merritt, Mr. Smith of Nueces and Mr. Young:

H. B. No. 463, A bill to be entitled "An Act providing for the classification of elementary and high schools by the county board of trustees; providing for free tuition for certain high school students; repealing Article 2678, Revised Statutes, 1925, and all other laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Finlay:

H. B. No. 464, A bill to be entitled "An Act providing for the vaccination for rabies of all dogs in this State over four months of age, requiring all dogs to be licensed, and authorizing the county clerk of each county to issue license and collar; providing for amounts of license tax and disposition of tax paid; providing penalty for refusal to vaccinate for rabies and pay license on dogs; declaring all dogs not wearing license number a nuisance and authorizing their destruction, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Daniel:

H. B. No. 465, A bill to be entitled "An Act to provide for the disposition of old court papers in cases finally disposed of in municipal, justice, county, county courts at law, and district courts of this State, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Pope:

H. B. No. 466, A bill to be entitled "An Act to regulate, control and limit the effect to be given all laws and rules of court procedure applying to the trial or appeal of any cause pending in any court of Texas, civil or criminal, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Kinnear and Mr. Cox:

H. B. No. 467, A bill to be entitled "An Act providing for public education by means of junior colleges and junior college districts; providing for the operation, maintenance and control of same; providing for taxation and means of financing and carrying on such colleges and districts; providing for issuance of bonds and the things incidental and necessary to carry out this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Parrish of Travis and Mr. Petsch:

H. B. No. 468, A bill to be entitled "An Act transferring to the University of Texas for university purposes, any and all of block 63 of the city of Austin, according to map and plat of said city on record in the county clerk's office of Travis county, not heretofore transferred; also granting to said university for university purposes the heating plant at Camp Mabry owned by the State, together with all appurtenances and equipment thereunto belonging, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Smith of Atascosa:

H. B. No. 469, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Atascosa, McMullen, Frio, La Salle, Dimmit, Zavala and Maverick counties in the State of Texas for the purpose of making scientific investigation and experiment in the pro-

duction of fruits, citrus fruits, nuts and vegetables and methods of combating insect pests and diseases of said products in the said section and conducting scientific experiments in poultry raising and dairying; authorizing said board of directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose; providing that such experiment station shall be under the general supervision of said board of directors, and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for said experiment station are made for said purpose, said experiment station shall not be established."

Referred to Committee on State Affairs.

By Mr. Loftin and Mr. Cummings:

H. B. No. 470, A bill to be entitled "An Act amending Article 2686 of the Revised Civil Statutes of Texas by providing that appeal from the decision of the county superintendent of public instruction shall lie to the county school trustees, and from the county school trustees, to the court having proper jurisdiction of the subject matter, where a trial de novo shall be had; all laws and parts of laws in conflict herewith are hereby repealed."

Referred to Committee on Education.

By Mr. Gibson:

H. B. No. 471, A bill to be entitled "An Act amending Article 7144, Chapter 5, Title 122 of the Revised Civil Statutes of 1925, by adding thereto Articles 7144a, 7144b, 7144c, 7144d, 7144e, 7144f, 7144g, 7144h, 7144i, providing a uniform system for receiving and depositing payments for State taxes other than ad valorem taxes and insurance gross premium taxes; making provision for the Comptroller and others acting under him to have authority to examine books, records, examine witnesses under oath and to determine delinquent and additional taxes due; to assess delinquent and additional taxes and penalties that may be due, and providing for the admission of the Comptroller's records and findings in evidence; fixing jurisdiction of suits to enforce collection of delinquent and additional taxes and penalties in the district court of Travis county or any district court of any other county adjoining Travis county; repealing all conflicting laws, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Holland:

H. B. No. 472, A bill to be entitled "An Act to amend Article 2095, Chapter 7, Title 42, of the Revised Civil Statutes of the State of Texas of 1925, so such article shall provide for the compiling of jury cards for the jury wheel in counties of over one hundred fifty thousand population, placing such compiling under the supervision of the district clerk and providing funds for employment of typists for compiling and other expenses necessary."

Referred to Judiciary Committee.

By Mr. Alexander:

H. B. No. 473, A bill to be entitled "An Act providing for the hiring out of prisoners convicted of a misdemeanor, and who have been committed to jail in default of payment of fine and costs adjudged against them; such hiring to be either by private contract or public auction; the requisites of the bond given by hirer payable to the county judge; defining the liabilities of hirer when convict escapes; suit on such bond, in the event of its breach; providing for full credit being given convict for labor; providing manner for keeping record of convict so hired; providing for payment of officer's costs, and declaring an emergency."

Referred to Judiciary Committee.

INVITING SENATE TO HEAR ADDRESS OF HON. RICHMOND PEARSON HOBSON.

Mr. Durham offered the following resolution:

Resolved, That the Senate of Texas be, and is hereby invited to be present at the address of the Hon. Richmond P. Hobson, which is to be delivered in the Hall of the House of Representatives Wednesday, February 9, 1927, and that the Clerk be and is hereby directed to transmit this resolution to the Senate herewith.

The resolution was read second time and was adopted.

COMMUNICATION FROM HON. DAN MOODY, GOVERNOR.

The Speaker laid before the House and had read the following communication from Hon. Dan Moody, Governor:

Austin, Texas, February 8, 1927.

To the Honorable House of Representatives, State of Texas, Capitol.

Gentlemen: Receipt is acknowledged of the communications of the House of Representatives, signed by Hon. Robert

L. Bobbitt, Speaker, bearing date of February 8, advising that the House of Representatives has declared vacant the office of Representative from Delta county and Representative from Fannin county.

I acknowledge receipt of the notices, and shall discharge promptly the duties devolving upon me under the Constitution and laws of the State in the premises.

Very respectfully,
DAN MOODY,
Governor of Texas.

COMMITTEE SUBSTITUTES ORDERED PRINTED.

On motion of Mr. Alexander, the committee substitute to House joint resolution No. 15 was ordered printed instead of the original resolution.

On motion of Mr. Lipscomb, the committee substitute to House bill No. 84 was ordered printed instead of the original bill.

BILL ORDERED NOT PRINTED.

On motion of Mr. Wells, Senate bill No. 56 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 9, 1927.
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate accepts the invitation of the House to be present at the address of the Hon. Richmond P. Hobson.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 9, 1927.
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills and resolution:

H. C. R. No. 12, Authorizing the Governor to receive certain funds from the Federal government for the benefit of the National Guard.

S. B. No. 107, A bill to be entitled "An Act granting authority for construction and maintenance of salt

water hatcheries and propagation farms for fish, oysters and game, or either of same, and for the establishing and maintenance of public hunting grounds, on State owned islands in coastal waters of the Gulf of Mexico touching this State; providing for the cost and expense of same, and declaring an emergency."

S. B. No. 227, A bill to be entitled "An Act authorizing any county in this State upon a vote of two-thirds majority of the resident taxpaying voters therein, in addition to all other debts, to issue bonds or warrants, or otherwise lend its credit in an amount not to exceed one-fourth of the assessed valuation of the real property of such county for the purpose of navigation and in aid thereof; providing for the holding of elections for such purpose, the returns of election; the declaration of the result; the issuance of bonds or warrants and the levy of taxes for the payment thereof; giving the right of eminent domain; the right to co-operate with the United States government for the purposes thereof, and to transfer to the United States government right-of-way for navigation purposes, or in aid thereof, and declaring an emergency."

S. B. No. 228, A bill to be entitled "An Act to control the flood waters of the Trinity River; declaring that a great public calamity exists in the Trinity River Valley that requires immediate legislation for the prevention of the loss of lives and property in said county; providing for the voting and authorization of bonds for retarding and controlling the flood waters of the Trinity River; providing a method by which Tarrant County Water Control and Improvement District No. 1 may co-operate with the State of Texas in the construction of flood storage and retarding basins by which and through which the flood waters of the Trinity River will be controlled or retarded, etc., and declaring an emergency."

S. B. No. 229, A bill to be entitled "An Act releasing the inhabitants of, and property subject to taxation for levee improvements in City and County of Dallas Levee Improvement District and Dallas County Levee Improvement District Number 5, for a period of twenty-five (25) years from the payment of ad valorem taxes levied for State purposes, because of great public calamities in said levee districts caused by waters and calamitous overflows, as provided in Section 10 of Article 8 of

the State Constitution, etc., and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
 Assistant Secretary of the Senate.

RELATING TO THE PROPAGATION OF FISH.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 9, Relating to the propagation of fish in certain bays.

The resolution having heretofore been read second time.

Question recurring on the resolution, it was adopted.

INVITING HON. ALBERT C. RITCHIE TO ADDRESS THE LEGISLATURE.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 11, Inviting Governor Albert C. Ritchie to address the Legislature.

Whereas, The people of Texas have been informed that Governor Albert C. Ritchie of Maryland, publicist, statesman and patriot, contemplates visiting, in the near future, the South and Southwest, and his itinerary will include Texas and the city of Austin; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That he be and is cordially invited to address the Legislature of Texas in the Senate Chamber at 8 o'clock in the evening of any day during the present session of the Legislature that may suit his convenience; be it further

Resolved, That a copy of this invitation be mailed to Governor Ritchie by the Secretary of the Senate.

The resolution was read second time and was adopted.

INVITING HON. WILLIAM G. McADOO TO ADDRESS THE LEGISLATURE.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 12, Inviting Hon. William G. McAdoo to address the Legislature.

Resolved by the Senate of Texas, the House concurring therein, That the Hon. William Gibbs McAdoo, a distinguished citizen of California and of the nation, who has rendered service of great value to Texas, and was the choice of her democracy for President of the United States both in 1920

and in 1924, and who recently made a notable speech on the subject of prohibition and nullification and the enforcement of the law at Toledo, Ohio, be invited to address the Legislature of Texas in joint session at such time as shall suit his convenience.

Signed—Love, Stuart, Bledsoe, McFarland, Reid, Woodward, Smith, Floyd, Fairchild, Triplett, Holbrook, Hardin, Neal, Greer, Ward, Berkley, Real, Moore, Bowers, Price and Westbrook.

The resolution was read second time.

Mr. Gates moved to table the resolution.

COMMITTEE TO ESCORT HON. RICHMOND P. HOBSON AND HON. DAN MOODY TO THE SPEAKER'S STAND.

The Speaker appointed the following committee to escort the Hon. Richmond Pearson Hobson and Hon. Dan Moody to the Speaker's stand:

Messrs. Storey, Poage, Durham, Kincaid, Rogers of Shelby, Forbes and Barron.

ADDRESS BY HON. RICHMOND PEARSON HOBSON.

In accordance with a resolution heretofore adopted inviting Hon. Richmond Pearson Hobson to address the Legislature, the Honorable Senate having been invited, appeared at the bar of the House and, being duly announced, were admitted and escorted to seats already prepared for them along the aisles, Lieutenant Governor Barry Miller being escorted to a seat on the Speaker's stand.

The committee heretofore appointed to escort Governor Moody and Mr. Hobson to the Speaker's stand, having performed their duty, Speaker Bobbitt presented Lieutenant Governor Barry Miller, who presented Governor Moody.

Governor Moody then introduced Hon. Richmond Pearson Hobson to the members of the House and the Senate assembled in joint meeting.

Hon. Richmond Pearson Hobson then addressed the joint assemblage.

RECESS.

On motion of Mr. Purl, the House, at 12:35 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

INVITATION FROM GOVERNOR AND MRS. MOODY.

The Speaker laid before the House and had read the following invitation:

Executive Mansion,
Austin, Texas.

The members of the House of Representatives of the Fortieth Legislature and their immediate families are cordially invited to attend an informal reception at the Governor's Mansion on Friday evening, February eleventh, from eight to eleven o'clock.

MR. AND MRS. DAN MOODY.

INVITING HON. WILLIAM G. McADOO TO ADDRESS THE LEGISLATURE.

The House resumed consideration of pending business, same being Senate Concurrent Resolution No. 12, inviting Hon. William G. McAdoo to address the Legislature, with motion by Mr. Gates to table the resolution pending.

Mr. Gates withdrew the motion to table.

Question recurring on the resolution, it was adopted.

INVITING HON. JIM REED TO ADDRESS THE LEGISLATURE.

Mr. Stout offered the following resolution:

H. C. R. No. 19, Inviting Hon. Jim Reed to address the Legislature.

Whereas, The Hon. Jim Reed of Missouri, a patriot, a scholar and a statesman, a peerless orator, a Democrat who has never departed from the faith of the fathers, who is neither a time-server nor an apologist, a consistent, militant and incorruptible champion of those sacred principles which still are cherished in every home where peace abides, in every land where men are free, is the outstanding champion of constitutional government in the Senate of the United States of America; and

Whereas, He has graced that body by his inspiring eloquence, his militant leadership and unquestioned honor over a period of many useful years of disinterested and unselfish public service; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That this distinguished citizen of our Republic be forthwith extended an invitation to address a joint session of the Legislature of the State of Texas, before the end of the present session, and the Chief Clerk of

the House of Representatives be instructed to transmit a copy of this resolution together with a record of its adoption to Senator Reed.

Signed—Stout, Reagan.

The resolution was read second time and was adopted.

INVITING HON. AL SMITH TO ADDRESS THE LEGISLATURE.

Mr. Stevenson offered the following resolution:

H. C. R. No. 20, Inviting Gov. Al Smith to address the Legislature.

Whereas, The Senate has invited Governor Al Smith of the State of New York to visit Texas and address the Legislature; therefore, be it

Resolved, That the House join the Senate in this invitation and that the Governor of New York be invited to address the Senate and House in joint session to be held at night.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—74.

Barron.	Moursund.
Bird.	Murphy.
Boggs.	Nicholson.
Branch.	Olsen.
Brown.	Pavlica.
Daniel.	Pearce.
DeBerry.	Petsch.
Dielmann.	Poage.
Eickenroht.	Pool.
Farrar.	Powell.
Gates.	Purl.
Gibson.	Rawlins.
Gilbert.	Reagan.
Graves.	Rogers of Hays.
Hagaman.	Rowell.
Hall.	Sanders.
Harding.	Satterwhite.
Hefley.	Shearer.
High.	Sheats.
Holland.	Simmons.
Hornaday.	Sinks.
Jones.	Smith of Atascosa.
Justice.	Smith of El Paso.
Kemble.	Smith of Nueces.
Kennedy.	Smyth.
Kenyon.	Snelgrove.
King of Hopkins.	Stevenson.
Kinnear.	Storey.
Land.	Stout.
Loftin.	Swain.
Long.	Taylor.
McGill.	Teer.
Montgomery.	Turner.
Morse.	Van Zandt.

Veatch.	Williams
Wallace	of Travis.
of Freestone.	Williamson.
Wallace of Panola.	Woodall.
Ware.	Woodruff.
Wassell.	

Nays—23.

Alexander.	McCombs.
Avis.	Pope.
Conway.	Porter.
Cornwell.	Renfro of Mills.
Cummings.	Rogers of Shelby.
Durham.	Shaver.
Fly.	Smith of Smith.
Harman.	Waddell.
Holder.	Walker.
Jacks.	Wallace of Smith.
Kincaid.	Whitaker.
King of	
Throckmorton.	

Present—Not Voting.

Kayton.	Webb.
Shirley.	Young.
Stell.	

Absent.

Acker.	Fuchs.
Anderson.	Gray.
Barnett.	Johnson.
Bass.	Kirkland.
Bateman.	Lipscomb.
Beck.	Masterson.
Black.	McKean.
Boon.	Merritt.
Cox.	Minor.
Davis.	Nabors.
Denman.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Duvall.	Ramsey.
Enderby.	Renfro
Faulk.	of Angelina.
Finlay.	Runge.
Forbes.	Sutton.
Foster.	Wells.

Absent—Excused.

Albritton.	Tillotson.
Bonham.	Williams
Kirby.	of Sabine.
Loy.	

SENATE BILL NO. 55 ON PASSAGE
TO THIRD READING.

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 55, A bill to be entitled "An Act amending Sections 7, 10 and 29, of Chapter 172, of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to better provide for protection of game, and providing in a more adequate manner for

limits of game or wild birds and animals that may be taken, killed or possessed; providing for hunting licenses in this State; enacting proper provisions for the protection of wild female deer, wild fawn deer and wild buck deer; defining the necessary offenses and prescribing penalties to carry out the provisions of this act; providing for proper fees of officers and all things incidental to the main purposes of this act, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Runge pending.

Mr. DeBerry moved the previous question on the pending amendment, and the motion was not seconded.

Mr. Teer offered the following substitute for the amendment:

Amend Senate bill No. 55, page 2, line 35, after the word "antlers" add the following:

"Provided that persons charged with the violation of this act cannot prove that the deer killed is a grown deer two years of age."

Mr. Purl moved that further consideration of the bill be postponed indefinitely.

Question first recurring on the substitute amendment, it was lost.

Question then recurring on the amendment by Mr. Runge, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—83.

Alexander.	Hall.
Barnett.	Harding.
Barron.	Hefley.
Bass.	Holland.
Bateman.	Hornaday.
Beck.	Jacks.
Bird.	Justice.
Black.	Kayton.
Bonham.	Kemble.
Boon.	Kennedy.
Branch.	Kenyon.
Brown.	Kincaid.
Conway.	King of Hopkins.
Cornwell.	Kirby.
Cox.	Loftin.
Cummings.	Long.
Daniel.	McGill.
DeBerry.	Merritt.
Dielmann.	Minor.
Eickenroht.	Morse.
Farrar.	Moursund.
Faulk.	Murphy.
Fly.	Nabors.
Gilbert.	Olsen.
Graves.	Parish of Runnels.
Gray.	Pavlica.

Pearce.	Stell.
Poage.	Stevenson.
Pope.	Storey.
Porter.	Stout.
Purl.	Taylor.
Ramsey.	Turner.
Renfro of Mills.	Van Zandt.
Rogers of Hays.	Veatch.
Rogers of Shelby.	Waddell.
Rowell.	Wallace
Sanders.	of Freestone.
Shearer.	Wallace of Panola.
Shirley.	Ware.
Simmons.	Webb.
Sinks.	Whitaker.
Smith of Atascosa.	Woodruff.
Smith of Nueces.	Young.

Nays—31.

Acker.	Nicholson.
Avis.	Petsch.
Boggs.	Pool.
Denman.	Reagan.
Enderby.	Renfro
Finlay.	of Angelina.
Forbes.	Shaver.
Fuchs.	Sheats.
Hagaman.	Smith of El Paso.
High.	Smyth.
Jones.	Snelgrove.
King of	Teer.
Throckmorton.	Walker.
Kinnear.	Wassell.
Kirkland.	Williams
Land.	of Travis.
McCombs.	Woodall.

Present—Not Voting.

Rawlins.

Absent.

Anderson.	Masterson.
Davis.	McKean.
Dunlap.	Parrish of Travis.
Durham.	Runge.
Duvall.	Satterwhite.
Foster.	Smith of Smith.
Gates.	Sutton.
Gibson.	Swain.
Harman.	Wallace of Smith.
Holder.	Wells.
Johnson.	Williamson.
Lipscomb.	

Absent—Excused.

Albritton.	Tillotson.
Loy.	Williams
Montgomery.	of Sabine.
Powell.	

Mr. Stout moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question recurring on the motion to postpone further consideration of the bill indefinitely, it was lost.

Mr. Fly offered the following amendment to the bill:

Amend Senate bill No. 55, on page 2, at line 25, by adding after the word "day," "This limit not to apply to counties in which there is no closed season on squirrels."

The amendment was adopted.

Mr. Kemble moved the previous question on the passage of the bill to third reading, and the motion was duly seconded.

Question recurring on motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—107.

Avis.	Kemble.
Barnett.	Kenyon.
Barron.	Kincaid.
Bass.	King of Hopkins.
Bateman.	Kinnear.
Beck.	Kirkland.
Bird.	Land.
Black.	Long.
Boggs.	McCombs.
Boon.	McGill.
Brown.	McKean.
Conway.	Minor.
Cornwell.	Moursund.
Cummings.	Murphy.
Daniel.	Nabors.
Davis.	Olsen.
DeBerry.	Parish of Runnels.
Denman.	Pavlica.
Dielmann.	Pearce.
Enderby.	Petsch.
Eickenroht.	Poage.
Farrar.	Pool.
Faulk.	Pope.
Finlay.	Porter.
Fly.	Purl.
Forbes.	Ramsey.
Fuchs.	Rawlins.
Gates.	Reagan.
Gibson.	Rogers of Hays.
Gilbert.	Rogers of Shelby.
Graves.	Rowell.
Gray.	Sanders.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Harman.	Shirley.
Hefley.	Simmons.
High.	Smith of El Paso.
Holder.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Jacks.	Snelgrove.
Jones.	Stell.

Stevenson.	Wallace of Smith.
Storey.	Ware.
Stout.	Wassell.
Swain.	Webb.
Taylor.	Wells.
Teer.	Whitaker.
Turner.	Williams
Van Zandt.	of Travis.
Veatch.	Williamson.
Waddell.	Woodruff.

Nays—8.

King of	Walker.
Throckmorton.	Wallace
Merritt.	of Freestone.
Sheats.	Wallace of Panola.
Smith of Atascosa.	Woodall.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Loy.
Albritton.	Masterson.
Alexander.	Montgomery.
Anderson.	Nicholson.
Bonham.	Parrish of Travis.
Branch.	Powell.
Cox.	Renfro
Dunlap.	of Angelina.
Durham	Renfro of Mills.
Duvall.	Runge.
Foster.	Sinks.
Johnson.	Sutton.
Justice.	Tillotson.
Kayton.	Williams
Kirby.	of Sabine.
Lipscomb.	You g.
Loftin.	

Question then recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 55 was then passed to third reading by the following vote:

Yeas—66.

Acker.	Jones.
Alexander.	Kemble.
Barron.	Kennedy.
Bass.	Kenyon.
Bateman.	Kirkland.
Beck.	Land.
Black.	Long.
Boggs.	McCombs.
Conway.	McGill.
Enderby.	McKean.
Faulk.	Minor.
Finlay.	Moore.
Fly.	Morse.
Forbes.	Moursund.
Fuchs.	Olsen.
Gates.	Parish of Runnels.
Gibson.	Pavlica.
Graves.	Pearce.

Petsch.	Snelgrove.
Poage.	Stevenson.
Pool.	Stout.
Pope.	Swain.
Ramsey.	Teer.
Rawlins.	Turner.
Rogers of Hays.	Van Zandt.
Rogers of Shelby.	Veatch.
Shaver.	Ware.
Shearer.	Webb.
Shirley.	Wells.
Simmons.	Whitaker.
Smith of El Paso.	Williamson.
Smith of Smith.	Woodall.
Smyth.	Woodruff.

Nays—49.

Avis.	King of
Barnett.	Throckmorton.
Bird.	Kinnear.
Boon.	Loftin.
Brown.	Merritt.
Cornwell.	Murphy.
Cummings.	Nabors.
Davis.	Porter.
DeBerry.	Purl.
Denman.	Reagan.
Eickenroht.	Rowell.
Farrar.	Sanders.
Gilbert.	Sheats.
Gray.	Sinks.
Hall.	Smith of Atascosa.
Harding.	Smith of Nueces.
Hefley.	Storey.
High.	Taylor.
Holder.	Waddell.
Holland.	Walker.
Hornaday.	Wallace
Justice.	of Freestone.
Kayton.	Wallace of Panola.
Kincaid.	Wallace of Smith.
King of Hopkins.	Wassell.
	Young.

Present—Not Voting.

Daniel.	Stell.
Jacks.	Williams
Renfro	of Travis.
of Angelina.	

Absent.

Albritton.	Lipscomb.
Anderson.	Loy.
Bonham.	Masterson.
Branch.	Montgomery.
Cox.	Nicholson.
Dielmann.	Parrish of Travis.
Dunlap.	Powell.
Durham.	Renfro of Mills.
Duvall.	Runge.
Foster.	Satterwhite.
Hagaman.	Sutton.
Harman.	Tillotson.
Johnson.	Williams
Kirby.	of Sabine.

SENATE BILL NO. 155 ON PASSAGE
TO THIRD READING.

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 155, A bill to be entitled "An Act to create the One Hundred and Fourth Judicial District of Texas, and designating the counties constituting said district, and fixing the time for holding court therein; reorganizing the Thirty-ninth Judicial District of Texas, and fixing the time for holding court in the various counties of said district; providing for the appointment of a judge for the newly created One Hundred and Fourth Judicial District of Texas, for the appointment of district attorneys for the Thirty-ninth Judicial District of Texas; providing for the transfer of cases from the One Hundred and Fourth Judicial District to the Forty-second Judicial District, and vice versa; providing that the district clerk of Taylor county shall be the clerk of said newly created One Hundred and Fourth District, and providing the manner of filing cases and numbering same in the One Hundred and Fourth District and in the Forty-second Judicial District; validating all process, writs and bonds heretofore issued in the various counties affected by this act, etc., and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Pope pending.

Question recurring on the amendment, it was adopted.

Senate bill No. 155 was then passed to third reading.

SENATE BILL NO. 155 ON THIRD
READING.

Mr. Pope moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 155 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Boon.
Acker.	Branch.
Avis.	Conway.
Barnett.	Cornwell.
Barron.	Cummings.
Bateman.	Daniel.
Bird.	Davis.
Black.	DeBerry.
Boggs.	Denman.

Enderby.	Petsch.
Eickenroht.	Poage.
Farrar.	Pool.
Faulk.	Pope.
Fly.	Porter.
Forbes.	Purl.
Fuchs.	Ramsey.
Gates.	Rawlins.
Gilbert.	Reagan.
Graves.	Renfro
Gray.	of Angelina.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Rowell.
Harman.	Sanders.
Hefley.	Satterwhite.
Holder.	Shaver.
Holland.	Shearer.
Hornaday.	Sheats.
Jacks.	Shirley.
Kayton.	Simmons.
Kemble.	Sinks.
Kenyon.	Smith of Nueces.
King of Hopkins.	Smith of Smith.
King of	Smyth.
Throckmorton.	Stevenson.
Kinnear.	Storey.
Land.	Stout.
Lipscomb.	Swain.
Loftin.	Teer.
Long.	Turner.
McCombs.	Veatch.
McGill.	Waddell.
Merritt.	Wallace
Minor.	of Freestone.
Morse.	Wallace of Panola.
Moursund.	Wallace of Smith.
Murphy.	Ware.
Nabors.	Wassell.
Olsen.	Williamson.
Parish of Runnels.	Woodruff.
Pavlica.	Young.
Pearce.	

Nays—14.

Finlay.	Stell.
Gibson.	Taylor.
High.	Van Zandt.
Justice.	Walker.
Kincaid.	Whitaker.
McKean.	Williams
Smith of Atascosa.	of Travis.
Snelgrove.	

Present—Not Voting.

Kennedy.	Woodall.
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Absent.

Alexander.	Durham.
Anderson.	Duvall.
Bass.	Foster.
Beck.	Johnson.
Brown.	Jones.
Cox.	Kirkland.
Dielmann.	Masterson.
Dunlap.	Nicholson.

Parrish of Travis. Sutton.
Renfro of Mills. Webb.
Runge. Wells.
Smith of El Paso.

Absent—Excused.

Albritton. Powell.
Bonham. Tillotson.
Kirby. Williams
Loy. of Sabine.
Montgomery.

The Speaker then laid Senate bill No. 155 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.	Loftin.
Acker.	Long.
Avis.	McCombs.
Barnett.	McGill.
Barron.	McKean.
Bass.	Merritt.
Bateman.	Minor.
Beck.	Morse.
Bird.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Branch.	Olsen.
Brown.	Parish of Runnels.
Conway.	Pavlica.
Cornwell.	Pearce.
Cummings.	Petsch.
Daniel.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dielmann.	Purl.
Enderby.	Ramsey.
Eickenroht.	Rawlins.
Farrar.	Reagan.
Faulk.	Renfro
Fly.	of Angelina.
Forbes.	Rogers of Hays.
Fuchs.	Rogers of Shelby.
Gates.	Rowell.
Gibson.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shayer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Jacks.	Smith of Smith.
Jones.	Smyth.
Kayton.	Stell.
Kenyon.	Stevenson.
King of Hopkins.	Storey.
King of	Stout.
Throckmorton.	Swain.
Kinnear.	Teer.
Kirkland.	Van Zandt.
Land.	Veatch.

Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Ware.
Wassell.

Webb.
Williams
of Travis.
Williamson.
Woodall.
Woodruff.
Young.

Nays—14.

Alexander.
Boon.
Davis.
Finlay.
Hefley.
High.
Justice.

Kennedy.
Porter.
Smith of Atascosa.
Snelgrove.
Taylor.
Turner.
Whitaker.

Present—Not Voting.

Kincaid.

Absent.

Anderson.
Cox.
Dunlap.
Durham.
Duvall.
Foster.
Holder.
Holland.
Johnson.
Kemble.

Lipscomb.
Masterson.
Nicholson.
Parrish of Travis.
Renfro of Mills.
Runge.
Shearer.
Sutton.
Wells.

Absent—Excused.

Albritton.
Bonham.
Kirby.
Loy.
Montgomery.

Powell.
Tillotson.
Williams
of Sabine.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 268, A bill to be entitled "An Act to create an additional criminal district court for the county of Harris; and to provide for district jurisdiction and organization of, and procedure in, said court; to provide for the transferring and docketing of cases and to provide for the trial and disposition of causes during the absence of either judge; to provide for the appointment and election, qualification, jurisdiction, duties, powers and compensation of a judge thereof; to provide for a seal, and to provide for a sheriff, clerk and attorney thereof, and to provide for the appointment and pay of special deputy

clerks, and an assistant district attorney; to fix the time for holding terms thereof, and to provide for jury service and empaneling of grand juries; to limit and conform thereto jurisdiction of the Criminal District Court of Harris county."

H. B. No. 274, A bill to be entitled "An Act to create 'The County Criminal Court' for Dallas county, Texas; to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Dallas county; fixing the salary of the judge of said court; providing for the appointment and election of the said judges of said court hereby created; providing for the appointment of special judge and filling of vacancies in said office; providing for an official shorthand reporter for said court; providing a saving clause, and declaring an emergency."

H. B. No. 98, A bill to be entitled "An Act amending Article 324 of the Revised Civil Statutes of the State of Texas by providing for the payment of assistant district attorneys in districts in which there is situated a city of twenty-eight thousand population and over, and for the removal of such assistant district attorneys, and declaring an emergency."

H. C. R. No. 19, Inviting Hon. Jim Reed of Missouri to address the House and Senate.

H. C. R. No. 20, Inviting Gov. Al Smith of New York to visit Texas and address the Legislature.

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 377, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of trustees thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as con-

solidated in such bill the original status, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 234 ON SECOND READING.

On motion of Mr. Teer, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 234, A bill to be entitled "An Act making an emergency appropriation out of the general revenue for Live Stock Sanitary Commission."

The Speaker then laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 234 ON THIRD READING.

Mr. Teer moved that the constitutional requiring bills to be read on three several days be suspended and that Senate bill No. 234 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Hagaman.
Acker.	Hall.
Avis.	Harding.
Barnett.	Harman.
Barron.	Hefley.
Bass.	High.
Bateman.	Hornaday.
Beck.	Jacks.
Bird.	Jones.
Black.	Justice.
Boggs.	Kayton.
Boon.	Kemble.
Branch.	Kenyon.
Brown.	Kincaid.
Conway.	King of Hopkins.
Cornwell.	King of
Cummings.	Throckmorton.
Daniel.	Kinnear.
Denman.	Kirkland.
Dielmann.	Land.
Durham.	Loftin.
Enderby.	Long.
Eickenroht.	McCombs.
Faulk.	McGill.
Finlay.	McKean.
Fly.	Merritt.
Forbes.	Minor.
Fuchs.	Morse.
Gates.	Moursund.
Gibson.	Murphy.
Gilbert.	Nabors.
Graves.	Nicholson.

Olsen.	Sinks.
Parish of Runnels.	Smith of El Paso.
Pavlica.	Smith of Nueces.
Pearce.	Smith of Smith.
Petsch.	Smyth.
Poage.	Stevenson.
Pool.	Storey.
Pope.	Swain.
Purl.	Taylor.
Ramsey.	Teer.
Rawlins.	Turner.
Reagan.	Van Zandt.
Renfro	Veatch.
of Angelina.	Waddell.
Rogers of Hays.	Wallace
Rogers of Shelby.	of Freestone.
Rowell.	Wallace of Panola.
Sanders.	Wallace of Smith.
Satterwhite.	Ware.
Shaver.	Wassell.
Shearer.	Webb.
Sheats.	Williamson.
Shirley.	Woodall.
Simmons.	Young.

Nays—11.

DeBerry.	Stell.
Farrar.	Stout.
Gray.	Walker.
Kennedy.	Whitaker.
Smith of Atascosa.	Williams
Snelgrove.	of Travis.

Absent.

Alexander.	Lipscomb.
Anderson.	Masterson.
Cox.	Parrish of Travis.
Davis.	Porter.
Dunlap.	Renfro of Mills.
Duvall.	Runge.
Foster.	Sutton.
Holder.	Wells.
Holland.	Woodruff.
Johnson.	

Absent—Excused.

Albritton.	Powell.
Bonham.	Tillotson.
Kirby.	Williams
Loy.	of Sabine.
Montgomery.	

The Speaker then laid Senate bill No. 234 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	Beck.
Alexander.	Bird.
Avis.	Boggs.
Barnett.	Branch.
Bass.	Conway.
Bateman.	Cornwell.

Cummings.	Pearce.
Daniel.	Petsch.
DeBerry.	Poage.
Denman.	Pool.
Dielmann.	Pope.
Dunlap.	Porter.
Durham.	Purl.
Enderby.	Ramsey.
Eickenroht.	Rawlins.
Faulk.	Reagan.
Finlay.	Renfro
Fly.	of Angelina.
Forbes.	Rogers of Hays.
Fuchs.	Rogers of Shelby.
Gates.	Rowell.
Gibson.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shaver.
Hagaman.	Shearer.
Hall.	Sheats.
Harding.	Simmons.
Harman.	Sinks.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Holder.	Smith of Smith.
Jacks.	Smyth.
Jones.	Snelgrove.
Justice.	Stell.
Kennedy.	Stevenson.
Kenyon.	Storey.
Kincaid.	Swain.
King of Hopkins.	Taylor.
King of	Teer.
Throckmorton.	Turner.
Kinnear.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Long.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
McKean.	Wallace of Panola.
Merritt.	Wallace of Smith.
Minor.	Ware.
Morse.	Wassell.
Murphy.	Webb.
Nabors.	Williamson.
Olsen.	Woodall.
Pavlica.	Young.

Nays—9.

Black.	Smith of Atascosa.
Boon.	Stout.
Farrar.	Whitaker.
Gray.	Williams
Shirley.	of Travis.

Absent.

Acker.	Hornaday.
Anderson.	Johnson.
Barron.	Kayton.
Brown.	Kemble.
Cox.	Lipscomb.
Davis.	Loftin.
Duvall.	Masterson.
Foster.	Moursund.
Holland.	Nicholson.

Parish of Runnels. Sutton.
 Parrish of Travis. Wells.
 Renfro of Mills. Woodruff.
 Runge.

Absent—Excused.

Albritton. Powell.
 Bonham. Tillotson.
 Kirby. Williams
 Loy. of Sabine.
 Montgomery.

INVITATION FROM BLIND INSTITUTE.

Mr. Smith of Smith introduced Mr. Brown, President of the Blind Institute, who introduced Mr. Chas. High, who addressed the House, extending an invitation to the members of the House to visit the Blind Institute on the evening of February 15, 1927.

On motion of Mr. Van Zandt, the House accepted the invitation.

HOUSE BILL NO. 240 WITH SENATE AMENDMENTS.

Mr. Gilbert called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 240, A bill to be entitled "An Act repealing House bill No. 377, passed by the First Called Session of the Thirty-ninth Legislature of Texas, creating the Lockney Independent School District in Floyd county, Texas, including therein the Lockney Independent School District as it then existed and the following common school districts in said county as they and each of them then existed: Irick No. 1, Pleasant Valley No. 2, Munsey No. 3, Aiken No. 7, Roseland No. 17, Prairie Chapel No. 25 and Ramsey No. 27; providing therein for a board of trustees thereof; vesting the said independent district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; fixing the term of office of such trustees; restoring to the several districts as consolidated in such bill the original status, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Gilbert, the House concurred in the Senate amendments by the following vote:

Yeas—106.

Mr. Speaker. Barnett.
 Alexander. Bass.
 Avis. Bateman.

Beck.
 Bird.
 Black.
 Boggs.
 Boon.
 Branch.
 Brown.
 Conway.
 Cornwell.
 Cox.
 Cummings.
 Daniel.
 DeBerry.
 Dielmann.
 Dunlap.
 Durham.
 Enderby.
 Eickenroht.
 Farrar.
 Faulk.
 Finlay.
 Fly.
 Forbes.
 Gates.
 Gibson.
 Gilbert.
 Graves.
 Gray.
 Hagaman.
 Hall.
 Harman.
 Hefley.
 High.
 Hornaday.
 Jacks.
 Jones.
 Justice.
 Kemble.
 Kennedy.
 Kenyon.
 King of Hopkins.
 Kinnear.
 Kirkland.
 Land.
 Loftin.
 Long.
 McCombs.
 McGill.
 McKean.
 Minor.
 Morse.
 Moursund.

Murphy.
 Nabors.
 Olsen.
 Parish of Runnels.
 Pavlica.
 Pearce.
 Petsch.
 Poage.
 Pool.
 Porter.
 Purl.
 Ramsey.
 Rawlins.
 Reagan.
 Renfro
 of Angelina.
 Rogers of Hays.
 Rogers of Shelby.
 Rowell.
 Satterwhite.
 Shaver.
 Shearer.
 Sheats.
 Simmons.
 Smith of El Paso.
 Smith of Nueces.
 Smyth.
 Snelgrove.
 Stell.
 Stevenson.
 Storey.
 Stout.
 Swain.
 Taylor.
 Teer.
 Turner.
 Van Zandt.
 Veatch.
 Waddell.
 Walker.
 Wallace
 of Freestone.
 Wallace of Panola.
 Wallace of Smith.
 Ware.
 Wassell.
 Webb.
 Whitaker.
 Williams
 of Travis.
 Woodall.

Present—Not Voting.

Kincaid. Sutton.

Absent.

Acker. Harding.
 Anderson. Holder.
 Barron. Holland.
 Davis. Johnson.
 Denman. Kayton.
 Duvall. King of
 Foster. Throckmorton.
 Fuchs. Lipscomb.

Masterson.	Shirley.
Merritt.	Sinks.
Nicholson.	Smith of Atascosa.
Parrish of Travis.	Smith of Smith.
Pope.	Wells.
Renfro of Mills.	Williamson.
Runge.	Woodruff.
Sanders.	Young.

Absent—Excused.

Albritton.	Powell.
Bonham.	Tillotson.
Kirby.	Williams
Loy.	of Sabine.
Montgomery.	

(Mr. Kemble in the chair.)

SENATE BILL NO. 18 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 18, A bill to be entitled "An Act to create a commission in aid of the Court of Criminal Appeals of Texas, regulating their powers and duties, appointment, duration of service, compensation and providing for stenographer, and making an appropriation therefor, and declaring an emergency."

The bill was read third time.

On motion of Mr. Storey, further consideration of the bill was postponed until 11 o'clock a. m. tomorrow.

SENATE BILL NO. 25 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 25, A bill to be entitled "An Act fixing the salaries of judges of the Supreme Court, of the Court of Criminal Appeals, of the judges of the Commission of Appeals and of the commission in aid of the Court of Criminal Appeals, and of judges of the Courts of Civil Appeals and district courts of this State, and declaring an emergency."

The bill was read second time.

Mr. Walker offered the following amendment to the bill:

Amend Senate bill No. 25 by striking out the figures "\$10,000" wherever it appears and insert in lieu thereof "\$7,500"; by striking out "\$7,500" wherever it appears and insert in lieu thereof "\$6,000"; by striking out "\$5,500" wherever it appears and insert in lieu thereof "\$4,500."

On motion of Mr. Petsch, the bill was laid on the table subject to call.

HOUSE BILL NO. 98 WITH SENATE AMENDMENTS.

Mr. Daniel called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

House bill No. 98, An Act providing for the payment of assistant district attorney.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Daniel, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Lipscomb.
Acker.	Loftin.
Alexander.	McCombs.
Avis.	McGill.
Barron.	Merritt.
Bass.	Minor.
Bateman.	Morse.
Beck.	Moursund.
Bird.	Murphy.
Boggs.	Nabors.
Boon.	Nicholson.
Brown.	Olsen.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Pope.
Cummings.	Porter.
Daniel.	Purl.
DeBerry.	Ramsey.
Denman.	Rawlins.
Dielmann.	Renfro
Dunlap.	of Angelina.
Durham.	Renfro of Mills.
Enderby.	Rogers of Hays.
Eickenroht.	Rogers of Shelby.
Farrar.	Rowell.
Finlay.	Sanders.
Fly.	Shaver.
Forbes.	Shearer.
Fuchs.	Sheats.
Gibson.	Shirley.
Gilbert.	Simmons.
Graves.	Sinks.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Hall.	Smith of Smith.
Harding.	Snelgrove.
Harman.	Stell.
Hefley.	Storey.
Holland.	Sutton.
Hornaday.	Swain.
Jacks.	Taylor.
Jones.	Turner.
Justice.	Van Zandt.
Kenyon.	Veatch.
King of Hopkins.	Waddell.
King of	Walker.
Throckmorton.	Wallace
Kinnear.	of Freestone.
Land.	Wallace of Panola.

Ware.
Wassell.
Webb.
Wells.

Whitaker.
Woodall.
Young.

Nays—4.

Black.
Kennedy.

Kirkland.
Smith of Atascosa.

Present—Not Voting.

Barnett.
Kincaid.
Stout.

Williams
of Travis.

Absent.

Anderson.
Branch.
Davis.
Duvall.
Faulk.
Foster.
Gates.
High.
Holder.
Johnson.
Kayton.
Kemble.
Long.
Masterson.
McKean.

Parish of Runnels.
Parrish of Travis.
Petsch.
Poage.
Pool.
Reagan.
Runge.
Satterwhite.
Smyth.
Stevenson.
Teer.
Wallace of Smith.
Williamson.
Woodruff.

Absent—Excused.

Albritton.
Bonham.
Kirby.
Loy.
Montgomery.

Powell.
Tillotson.
Williams
of Sabine.

SENATE BILL NO. 56 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 56, A bill to be entitled "An Act amending Section 8, of Chapter 177, of the General Laws of the Regular Session of the Thirty-ninth Legislature, which section relates to wild beaver, wild otter and wild fox and the pelts thereof, so as to provide that said section shall not apply to that portion of Texas lying west of a line starting at the mouth of the Brazos river where it empties into the Gulf of Mexico, thence following the meanderings of the Brazos river north to the intersection of the east boundary line of Young county, thence north along the west boundary line of Jack and Clay counties to the Red river, and declaring an emergency."

The bill was read second time.
(Speaker in the chair.)

Mr. Black offered the following amendments to the bill:

Amend Senate bill No. 56, Section 1, by adding after the words "Red River" the following:

"Provided that it shall be unlawful to take, hunt, capture or kill, or attempt to hunt, capture or kill any wild game or wild animals by means of traps or any other mechanical device within the limits of Limestone county for a period of five years from and after the passage of this act."

Amend the caption of Senate bill No. 56 by adding after the words "Red River" the words, "to prohibit the use of traps or other mechanical devices in Limestone county for a period of five years."

The amendments were severally adopted.

Mr. Rogers of Hays offered the following amendment to the bill:

Amend Senate bill No. 56 providing for the exemption of Hays and Caldwell counties from the provision of this bill so far as fox are concerned.

Signed—Rogers of Hays, McKean.

The amendment was adopted.

Mr. Smith of Atascosa offered the following amendment to the bill:

Amend Senate bill No. 56 by adding after Section 8 the following:

"Provided the penalty herein prescribed for killing fox shall not apply if the fox is killed within one mile of any chicken coop."

The amendment was lost.

Senate bill No. 56 was then passed to third reading.

SENATE BILL NO. 60 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 60, A bill to be entitled "An Act amending Section 4, of Chapter 29, of the General Laws of the Second Called Session of the Thirty-eighth Legislature, and adding thereto Section 4a; and amending Section 7 of said Chapter 29, so as to exempt from the inheritance tax provided for in said chapter bequests, devises, gifts, grants, conveyances and transfers of any kind or character whatsoever passing to or for the use of religious, educational or charitable organizations located within this State or to a city, town or county within this State or to the State of Texas, to be used within this State, and relieving and releasing any and all beneficiaries of the kind and character above mentioned from payment of any inherit-

ance taxes which may have heretofore accrued; and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read second time.

Mr. Hornaday offered the following amendment to the bill:

Amend Senate bill No. 60, at end of line 21 on page 2, by adding the following: "Provided that upon the abandonment or dissolution of any such organization or institution mentioned herein, before there shall be any distribution of its assets among its stockholders, there shall first be paid the State of Texas an amount of money equivalent to the taxes released herein."

The amendment was adopted.

Mr. Gates moved that the House adjourn until 10:30 o'clock a. m. tomorrow, and the motion to adjourn was lost.

Mr. Petsch offered the following amendment to the bill:

Amend Senate bill No. 60 by adding to the end of the caption the following: "Provided that upon the abandonment or dissolution of any such organization mentioned herein, before there shall be any distribution of its assets among its stockholders there shall be paid the State of Texas an amount of money equivalent to the taxes released herein."

The amendment was adopted.

Mr. Rawlins offered the following amendment to the bill:

Amend Senate bill No. 60, Section 4a, line 13, page 3, between words "all" and "religious," insert words "bona fide."

The amendment was adopted.

Mr. Finlay offered the following amendment to the bill:

Amend Senate bill No. 60 by adding after the word "organization" wherever it occurs the words "or institution."

The amendment was adopted.

Mr. Satterwhite moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate bill No. 60 was then passed to third reading.

CONFERENCE COMMITTEE ON SENATE BILL NO. 155.

Mr. Pope called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 155.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Pope moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee:

Messrs. King of Throckmorton, Hall and Pope.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 235, A bill to be entitled "An Act to amend Title 67, Chapter 3, of the Revised Civil Statutes of 1925, and to provide that any county or city authorized by Title 118 of the Revised Civil Statutes of 1925 to construct, extend, protect, strengthen, maintain, keep in repair, and otherwise improve any seawall or breakwater, levee, dike, floodway, and drainway may take any marl, gravel, sand or mudshell from any of the waters, reefs or bars included in Title 67, Chapter 3, Revised Civil Statutes of 1925, for use in any such work without payment therefor by such county or city or by any contractor doing such work for any such county or city to the Game, Fish and Oyster Commissioner, or to the State of Texas, and providing an emergency."

S. B. No. 259, A bill to be entitled "An Act to aid in protection of the property and lives of the citizens of Starr county from further disastrous and calamitous overflows and conserving and increasing the State revenue derived from said county by granting and donating to Starr county, for a term of twenty-five years, or so much thereof as may be necessary, a portion of the State ad valorem taxes levied and collected on property subject to taxation in said county, to be used in payment in part of interest and sinking fund of bonds to be issued by said county to provide for the construction of necessary protection, and declaring an emergency."

The Senate has refused to concur in House amendments to Senate bill No. 155, and requests House for appointment of a free conference to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Pollard, Smith, Wood, Price and Floyd.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

ADJOURNMENT.

Mr. McCombs moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Kennedy moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Purl moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. Purl prevailed, and the House, accordingly, at 5:25 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

COMMUNICATION FROM ATTORNEY GENERAL.

The following communication from the Attorney General was ordered printed in the Journal:

Austin, Texas, February 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives, Austin, Texas.

My Dear Mr. Bobbitt: In response to an oral request through your parliamentarian for a construction of Article 3, Section 11, of the Constitution, you are advised:

This article provides, eliminating language not pertinent, that "each house may with the consent of two-thirds, expel a member."

The inquiry presented is as to whether or not this provision of the Constitution means two-thirds of the members elected, or two-thirds of the quorum present. The general rule for the interpretation of Constitutions in this regard is given in Cooley's Constitutional Limitations, Seventh Edition, page 201, as follows:

"A simple majority of a quorum is sufficient, unless the Constitution establishes some other rule; and where by the Constitution a two-thirds or three-fourths vote is made essential to the passage of any particular class of bills, two-thirds or three-fourths of a quorum will be understood, unless the terms employed clearly indicate that this proportion of the members or of all those elected is intended."

Similar provisions of the Constitution of the United States, and other States, have been before the courts in several cases, a few of which I will cite for your guidance.

In the case of State vs. Missouri Pacific Railway Company (Supreme Court of Kansas), 152 Pacific, 777, the court had before it a constitutional provision relating to the passage of a bill over the veto of the Governor, similar in all respects to that of our Constitution regulating same. It required that there should be a two-thirds vote of "each house" to pass a bill over the Governor's veto. The Supreme Court of Kansas held that this meant two-thirds of a quorum of each house, supporting the opinion by Cooley on Constitutional Limitations hereinbefore cited. The case went to the Supreme Court of the United States, and was affirmed without dissent, Chief Justice White rendering the opinion of the court, which is reported in 248 United States Reports, page 276. Discussing the provision of the Constitution of the United States relating to the submission of constitutional amendments, which likewise contains a provision that this shall be done by a two-thirds vote of each house, and in construction of this provision of the Constitution, Justice White said:

"While there is no decision of this court covering the subject in the State courts of last resort, the question has arisen and been passed on, resulting every case in recognition of the principle, that in the absence of the expressed command to the contrary, the two-thirds vote of the House required to pass a bill over a veto, is two-thirds of a quorum of the body as empowered to perform other legislative duties."

In the case of Missouri, Kansas & Texas Railway Company vs. Simmons, Supreme Court of Kansas, reported in 88 Pacific, 551, the court had before it a provision of the Constitution that the Legislature may increase the number of judicial districts "whenever two-thirds of each house shall concur." In holding that this meant two-thirds of a quorum of each house, the court said:

"Where a two-thirds vote (or other portion) of a legislative body that is prescribed as necessary for any purpose, two-thirds of those who are present and constitute a quorum is understood, unless special terms are employed clearly indicating a different intention."

In the case of State vs. McBride, Supreme Court of Missouri, 29 American

Decisions, 636, the court had before it the provision of the Constitution requiring an amendment to the Constitution to be submitted by "two-thirds of each house," and held that this meant two-thirds of the quorum of each house.

The case of *Smith vs. Jennings*, Supreme Court of South Carolina, 45 Southeastern Reporter, 821, they having under consideration a provision of the Constitution that required a two-thirds vote of each house to pass a bill over the Governor's veto, definitely decided that this did not mean two-thirds of the total membership, but "two-thirds of the quorum." The court said:

"While the Constitution in Article 3, Section 3, declares that the House of Representatives shall consist of one hundred and twenty-four members, it also declares in Section 11, Article 3, that a majority of each house shall constitute a quorum to do business. A quorum therefore possesses the power of the whole body in all matters of business wherein the action of a larger proportion of the entire membership is not clearly and expressly required." When the Constitution speaks of "two-thirds of that house," as the vote required to pass a bill or joint resolution over the veto of the Governor, it means two-thirds of the House as then legally constituted, and then acting upon the matter. Whenever the framers of the Constitution intended otherwise, the purpose was expressly declared as in Article 15, Section 1: "A vote of two-thirds of all members elected shall be required for an impeachment," and in Article 16, Section 1, wherein proposing amendments to the Constitution "two-thirds of the members elected to each house" must agree thereto.

In the case of *Loubat vs. Leroy*, Supreme Court of New York, *Abbott's New Cases*, Vol. 15, page 1, the court had before it the provision of the Constitution of a voluntary association providing for the expulsion by a member of a two-thirds vote of its governing committee, and it was held that this meant two-thirds of the committee voting, a quorum being present.

We cite, without attempting to brief, for lack of time, the following cases:

"*Farmers Union Warehouse vs. McIntosh*, Appellate Court of Alabama, 56 Southern, 102;

"*City of North Platte vs. North Platte Water Works Company*, Supreme Court of Nebraska, 76 Northwestern, 906; and

"*Zeiler vs. Central Railway Com-*

pany, Court of Appeals of Maryland, 35 Atlantic," in which cases the same principle was announced, as those from which we have quoted.

An examination of the various provisions of our Constitution discloses that the framers have exercised great care in prescribing the proportion of membership necessary to accomplish the different purposes; in some instances, prescribing a certain proportion of the members elected; in some instances, a certain proportion of the members present and voting, etc., and in all cases where a greater proportion is necessary than a mere majority of the quorum, it has been definitely specified.

The provision under consideration fixes as the number necessary to carry out the purpose in view, two-thirds of the House, and following the line of authority which we have cited, this must be construed to mean two-thirds of a quorum of the House.

You are advised, therefore, that if a quorum of the House is present and two-thirds of that quorum vote to expel a member, it is sufficient under the Constitution to accomplish this purpose.

We regret that the time within which we were required to prepare this opinion was not sufficient to enable us to more fully brief the authorities we have cited, and to cite additional authorities.

Very respectfully,

CLAUDE POLLARD,
Attorney General.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Criminal Jurisprudence: Senate bill No. 126.

State Affairs: Senate bill No. 54; House bills Nos. 362, 363.

Appropriations: House bill No. 433; Senate bill No. 149.

Constitutional Amendments: House joint resolutions Nos. 24, 15, 25, 26.

Agriculture: House concurrent resolution No. 18; House bill No. 249; Senate bill No. 156.

Revenue and Taxation: House bills Nos. 119, 196, 325.

Game and Fisheries: House bill No. 446; Senate bill No. 56.

The following standing committees have today filed adverse reports on bills as follows:

Public Lands and Buildings: House bills Nos. 423, 440.

Revenue and Taxation: House bills Nos. 23, 74.

State Affairs: House bills Nos. 392, 399.

Appropriations: House bill No. 73.

Criminal Jurisprudence: House bills Nos. 408, 123, 117.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 12, Authorizing the Governor to receive certain funds from the Federal government for the benefit of the National Guard,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

TWENTY-FIRST DAY.

(Thursday, February 10, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Finlay.
Alexander.	Fly.
Anderson.	Forbes.
Avis.	Fuchs.
Barnett.	Gates.
Barron.	Gibson.
Bass.	Gilbert.
Bateman.	Graves.
Beck.	Gray.
Bird.	Hagaman.
Black.	Hall.
Boggs.	Harding.
Bonham.	Harman.
Boon.	Hefley.
Branch.	High.
Brown.	Holder.
Conway.	Holland.
Cornwell.	Hornaday.
Cox.	Jacks.
Cummings.	Johnson.
Daniel.	Jones.
Davis.	Justice.
DeBerry.	Kayton.
Denman.	Kemble.
Dielmann.	Kennedy.
Dunlap.	Kenyon.
Durham.	Kincaid.
Enderby.	King of Hopkins.
Eickenroht.	King of
Farrar.	Throckmorton.
Faulk.	Kinnear.

Kirkland.	Shirley.
Land.	Simmons.
Lipscomb.	Sinks.
Loftin.	Smith of Atascosa.
Long.	Smith of El Paso.
McCombs.	Smith of Nueces.
McGill.	Smith of Smith.
McKean.	Smyth.
Merritt.	Snelgrove.
Minor.	Stell.
Montgomery.	Stevenson.
Morse.	Storey.
Moursund.	Stout.
Murphy.	Sutton.
Nabors.	Swain.
Nicholson.	Taylor.
Olsen.	Teer.
Parish of Runnels.	Turner.
Parrish of Travis.	Van Zandt.
Pavlica.	Veatch.
Pearce.	Waddell.
Petsch.	Walker.
Poage.	Wallace
Pool.	of Freestone.
Pope.	Wallace of Panola.
Porter.	Wallace of Smith.
Purl.	Ware.
Ramsey.	Wassell.
Rawlins.	Webb.
Renfro	Wells.
of Angelina.	Whitaker.
Renfro of Mills.	Williams
Rogers of Hays.	of Sabine.
Rogers of Shelby.	Williams
Rowell.	of Travis.
Sanders.	Williamson.
Satterwhite.	Woodall.
Shaver.	Woodruff.
Shearer.	Young.
Sheats.	

Absent—Excused.

Albritton.	Masterson.
Duvall.	Powell.
Foster.	Reagan.
Kirby.	Runge.
Loy.	Tillotson.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Reagan for today, on motion of Mr. Smith of Smith.

Mr. Foster for today and the balance of the week, on motion of Mr. Morse.

Mr. Powell for today, on motion of Mr. Williams of Travis.

Mr. Duvall for today, on motion of Mr. Lipscomb.